



OVER THE WALL

a seriousfun camp

EQUALITY, DIVERSITY and INCLUSION POLICY & PROCEDURES

As a children’s charity our beneficiaries are at the heart of everything we do and our approach to diversity, inclusion and representation is guided by this principle.

We are committed to ensuring maximum accessibility to all our camp programmes, and, specifically, we want to ensure that no-one misses out on the opportunities we provide because they can’t recognise a place for themselves.

Knowing the transformative impact that role models can have, we want to ensure that our volunteers and camp staff are reflective of our beneficiaries in terms of visible and non-visible characteristics, including ethnicity, gender, and disability. This is equally applicable to our wider team, namely, employees at all levels, volunteers and our board members. We want to ensure that regardless of where you are in the Over The Wall community any difference you have is valued.

Our core value of inclusivity will be visible in everything we do, whether we are at a camp, talking on social media or elsewhere, and we will act positively and decisively whenever we fall short, either as an organisation, or where we feel members of our community aren’t living up to our values. We recognise that we all have a responsibility when it comes to living our values, and we commit to taking action to ensure that OTW is as representative and inclusive as it can be.

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By: Helen Alexander – Director of Finance & Central Services

Status: Live

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Next Review: Dec 2022

POLICY & PROCEDURES

1. Policy Statement

1.1 Over the Wall is committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination. The aim is for our workforce and volunteers to be truly representative of all sections of society and our campers, and for each employee to feel respected and able to give their best. As a service provider, OTW is committed against unlawful discrimination of service users, partners or the public.

2. Purpose

2.1 The policy's purpose is to:

- provide equality, fairness and respect for all in our employment, including volunteers and in the provision of our services
- not unlawfully discriminate based on any of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation
- oppose and avoid all forms of unlawful and unfair discrimination.

3. Principles

The organisation commits to:

- Encourage equality, diversity and inclusion in the workplace as they are good practice and make business sense
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all are recognised and valued
- Provide training to employees, trustees and volunteers about their rights and responsibilities under the equality, diversity and inclusion policy. In our conduct, we all share responsibility for helping prevent bullying, harassment, victimisation and unlawful discrimination

Employees should understand that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public

- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

Breaches of this policy will be treated seriously and may lead to disciplinary action or termination of supply contracts.

- Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.
- Make opportunities for training, development and progress available to all employees, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
- Review employment practices and procedures when necessary to ensure fairness, and update them and the policy to take account of changes in the law.
- Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.

Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

4. Code of Conduct

4.1 As a matter of principle all personnel associated with OTW will be expected to adhere to the code of conduct

- People will be treated with dignity and respect regardless of race, nationality, gender, sexual orientation, gender reassignment, disability and/or age.
- At all times people's feelings will be valued and respected. Language or humour that people find offensive will not be used, e.g., sexist or racist jokes or terminology which is derogatory to someone with a disability.
- No one will be harassed, abused, or intimidated on the grounds of his or her race, nationality, gender, sexual orientation, gender reassignment, disability or age. Incidents of harassment will be taken seriously.
- Everyone associated with OTW should feel they are treated respectfully and fairly, are valued, sense that they belong, and are confident and inspired.

4. Procedures

4.1 The Equality, Diversity and Inclusion Policy forms part of the Employee and Volunteer Handbooks and Contract of Employment.

4.2 Any form of discrimination by an employee, trustee or volunteer is treated very seriously and where appropriate will be dealt with using the Disciplinary Procedure.

4.3 As an employer, OTW will not discriminate against employees or job applicants, in respect of the nine 'protected characteristics' under the Equality Act 2010:

- Age
- Disability
- Gender reassignment
- Marital or civil partnership status
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Nor will it not take any of the above protected characteristics into account when making recruitment or employment decisions, with limited exceptions for disability (see below). This means that staff responsible for recruitment cannot, for example:

- decide that you prefer a woman (or a man) for your post
- decide not to appoint an applicant because she is pregnant
- treat a person less favourably in any way due to their sexual orientation
- fail to appoint the best person for the job, due to their age (young or old).

4.4 There is additional legislation that prohibits discrimination against other groups:

- Part-time status (Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000)
- Fixed-term status (Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002)
- Equal Pay between men and women (Equal Pay Act 1970).

5. Positive Discrimination

5.1 Positive discrimination is illegal and the recruitment of 'quotas' of particular groups is also illegal. Discrimination in selection to achieve or secure a balance of persons of different racial groups is also not allowed under the Race Relations Act 1976.

5.2 There is an exception, however, which may be appropriate for certain posts at OTW i.e., when a genuine occupational qualification (GOQ) is necessary/desirable for a particular group or sex. Both the Race Relations Act 1976 and the Sex Discrimination Act 1975 allow these exceptions.

6. Positive action

6.1 It is possible to take positive action to encourage people from certain groups to apply to work for an organisation, where there is historical under-representation in a job. Over the Wall will act positively in using this policy as a means of making public its commitment to provide equal opportunities to all present and future employees, trustees and volunteers.

6.2 Over the Wall encourages all employees and volunteers to apply for suitable opportunities and to seek training for promotion or in particular skills.

6.3 Over the Wall aims to ensure that our Trustees also broadly reflect the diversity of our client stakeholders.

7. Applicants for Employment

7.1 Reasonable adjustments will be made as needed to enable applicants with a disability to access the selection process.

7.2 OTW will not ask direct questions about disability at interview stage but will ask all candidates questions which relate to the essential requirements of the job. For example, 'are you able to climb stairs?' is acceptable if this is required for the job.

7.3 Our selection decision will be based on the individual's ability to do the job, with reasonable adjustments as needed. For example, if a candidate cannot climb stairs but is otherwise the best person for the job, we will need to consider whether we can reasonably adjust the job so that there is no requirement to climb stairs.

8. Employees with disabilities

8.1 As an employer, we have certain legal obligations under the Equality Act 2010 towards an employee who has a disability or who acquires a disability during our employment.

8.2 If an employee is disabled under the Equality Act, we will make 'reasonable adjustments', for example to the workplace or working arrangements, to avoid the employee being substantially disadvantaged compared to people with no disability.

8.3 Reasonable adjustments may include things like:

- providing practical aids and technical equipment
- allocating to another employee some tasks that cannot be done easily by the employee with the disability
- a phased return to work after absence due to disability – perhaps working flexible hours or part-time.

8.4 The law recognises that what may be 'reasonable' as an adjustment for a large employer may not be possible for a smaller employer. Nevertheless, we should implement any adjustments that are reasonable, in consultation with the employee. We will take specialist occupational health advice if needed.

8.5 Even if our employee does not fall under the legal definition of 'disabled' but would benefit from some adjustments that are reasonable to make then it is good practice, and the right thing to do, to make such adjustments.

8.6 A disability may not always be apparent and it is an employee's responsibility to advise their manager of any impairment or condition that they believe may amount to a disability.

8.7.1 Over the Wall will make genuine efforts to recruit people with disabilities and take reasonable steps to make the workplace and individual jobs accessible to people with disabilities.

8.8 Over the Wall will regularly review its facilities for people with a disability, and will try to overcome any problems faced wherever practicable and within reasonable resources available.

8.9 Over the Wall will ensure that people have maximum access to employment opportunities and to meetings and events, regardless of any disability.

9. Role descriptions and person specifications

9.1 Job descriptions and Person Specifications are prepared for all posts. The job description indicates the responsibilities and tasks to be undertaken by the job holder. The Person Specification describes the qualifications, skills and abilities required.

9.2 A list of preferred criteria may also be prepared. Care will be taken to ensure that neither the description nor the specification are discriminatory on the grounds quoted in the Policy Statement

10. Advertising

10.1 Over the Wall will use a range of advertising methods in order to attract the widest pool of appropriate applicants. Vacancies for new and existing jobs will normally be advertised internally and externally, including amongst our volunteers. All our advertising will:

- contain the Diversity, Equality & Inclusion statement specified in the current recruitment procedures
- ensure that we do not exclude, discriminate against, or discourage any particular group from applying nor make it difficult for anyone from such a group to apply.
- refer to the role description and person specification in order give information about the requirements of the job
- give clear instructions about the application process

11. Applications and short listing

11.1 Where employees and volunteers are asked to fill out an application form we will only request information essential and relevant to the appointment. Different formats will be made available if required.

11.2 Applications will be short listed by at least 2 people. Short listing will be performed on the basis of objective criteria and the extent to which candidates have shown, in the application form, that they meet the required Person Specification, and can carry out tasks and responsibilities required of the postholder.

11.3 Formal qualifications and standards of literacy and numeracy will only be taken into account when they are recognised as necessary for a particular job.

11.4 Short listed candidates will be invited to an interview. Staff and members of the Board of Trustees responsible for shortlisting, interviewing and selection of candidates will be:

- Clearly informed of selection criteria and the need for their consistent application;
- Given guidance on the effects which generalised assumptions about people from groups quoted in the Policy Statement can have on selection decisions;

- Made aware of the possible misunderstandings that can occur between persons from different cultural backgrounds.

12. Interviewing

12.1 All staff and volunteer interviews will be carried out by a minimum of two people, the names of interviewees will be made available in advance.

12.2 The questions asked will seek to gather objective evidence in support of the role description and person specification. The same questions will be asked of all candidates applying for the job.

12.3 Candidates with a disability will be asked if they need support during the interview process or adjustments should they be offered the position.

12.4 Notes will be taken, and evidence gathered against the job description and person specification.

12.5 All candidates will be asked about their eligibility to work.

13. Selection

13.1 All candidates will be scored against the role description and person specification. The highest scoring applicants will be offered the position.

13.2 Offers will be made to successful candidates, subject to satisfactory references and vetting checks (where required).

13.3 All unsuccessful candidates will be informed of the result of their application.

14. Vetting Policy

14.1 For certain positions we will request enhanced disclosures for all employees, trustees and volunteers. This requirement will be clearly stated in the application pack.

15 Ex Offenders

15.1 Over the Wall will not discriminate against ex-offenders with spent and unspent convictions, unless required to do so because of the nature of the post. All applications will be considered on an individual basis. See OTW Vetting Policy and procedures for more detailed information.

16 Induction and training

16.1 All employees, trustees and volunteers will be required to follow an appropriate induction process to ensure they are equipped to do the job.

16.2 All employees, trustees and volunteers will be required to acknowledge that they have read and understood a number of key policies, including the Equality, Diversity and Inclusion policy and procedures, as part of their induction.

17. Flexible working

17.1 Over the Wall will consider all requests for flexible working arrangements constructively and creatively, taking account of the needs of the organisation with those of the individual employee.

17.2 Over the Wall will offer a range of flexible working arrangements and will work collaboratively to identify solutions that suit both the individual and the organisation.

18. Promotion

All vacancies will be advertised internally and externally, where appropriate.

19. Training

19.1 All employees, trustees and volunteers will have access to training opportunities.

19.2 Training opportunities will be discussed during supervision sessions and selection for training will be made on the basis of both the needs of the business set out in the Business Plan and the personal development of the individual.

19.3 Special needs and requirements for people with disabilities or caring responsibilities will be taken into account whenever practicable and ways sought to help overcome disabilities in taking up training opportunities.

20. Annual Leave and Religious Holidays

20.1 Over the Wall will not discriminate against anyone wishing to celebrate religious festivals. Employees are required to use part of their annual holiday entitlement to cover time off for these and must follow the normal holiday booking procedure.

21. Cultural and religious needs

21.1 Where employees, trustees or volunteers have particular cultural and religious needs, Over the Wall will consider whether it is reasonably practicable to meet these needs while maintaining the efficiency of the business.

22. The Menopause

22.1 Over The Wall recognises that the menopause may have a long-lasting disruptive impact on the lives of many employees, volunteers, and some service users. Due to a variety of factors, the experience of the menopause will be different for every individual affected. This policy accepts that there is no "one-size-fits-all" solution to the menopause.

22.2 Menopause is covered under the Equality Act 2010 under the protected characteristics of age, sex, and disability discrimination.

22.3 Over The Wall will make any reasonable adjustment required to support those experiencing symptoms of the menopause or perimenopause. We recognise that there may be workplace factors that make working life more difficult for women experiencing the menopause and that the menopause can affect partners and families too.

23. Grievance and Disciplinary Procedures

23.1 Over the Wall will take seriously any complaints of discrimination and will not victimise people who make such complaints.

23.2 Staff and volunteers will be made aware as part of the induction process of their responsibilities in relation to equality, diversity and inclusion and that discriminatory behaviour will be fully investigated and dealt with using the Disciplinary Procedure.

23.3 Details of the organisation's grievance and disciplinary policies and procedures can be found in the Employee Handbook.

23.4 Use of the organisation's grievance and/or disciplinary procedures does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

24. Bullying and Harassment

24.1 Over the Wall upholds the right of all employees and volunteers to be treated with respect and dignity and to work in an atmosphere free of bullying and harassment.

24.2 All employees and volunteers are responsible for ensuring that their own behaviour is sensitive to others and for ensuring that they do not condone or support the bullying or harassing behaviour of others.

24.3 All complaints of bullying and harassment will be treated seriously and should be raised using the Grievance Procedure, Sexual Harassment or Disciplinary Policy and Procedures. All complaints will be investigated and where appropriate, the Disciplinary Procedures will be followed.

24.4 Where appropriate, complaints may also be raised through the Whistleblowing Policy.

25. Service Provision

25.1 Over the Wall will endeavour to ensure that its services to and for the voluntary sector are sensitive and appropriate to respond to the needs of all groups, whenever practicable, i.e. taking account of the needs of minority groups.

25.2 Over the Wall will take care to avoid unintentionally discriminatory passages appearing in published, printed or spoken material.

25.3 Over the Wall will continue to take a leading role in combating any form of discrimination.

25.4 Over the Wall will work with others to ensure that the diversity of our stakeholder population is recognised and celebrated.

26. Responsibility

26.1 It is the CEO's responsibility with the support of the Board of Trustees to ensure the implementation of the Equality, Diversity and Inclusion Policy.

26.2 All employees, trustees and volunteers have the individual responsibility to:

- Follow procedures introduced to ensure equal opportunity and non-discrimination;

- To draw the attention of management to suspected or alleged discriminatory practices;
and
- To refrain from harassing or intimidating other employees, trustees or volunteers, clients or visitors of Over the Wall on any of the grounds cited in the policy statement.

27. SMT Support

27.1 The Equality, Diversity and Inclusion policy is fully supported by the management team

28. Review

28.1 This policy will be reviewed biennially for currency and accuracy, by the CEO or individual nominated by him/her. This does not prevent any changes taking place to this policy at any other time due to changes in practice or legislation.